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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,277	02/06/2008	Abram Evert Van Laar	3135-062115	4259

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EXAMINER
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GOLIGHTLY, ERIC WAYNE

ART UNIT	PAPER NUMBER
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1714

NOTIFICATION DATE	DELIVERY MODE
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01/05/2012

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@webblaw.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/586,277	<b>Applicant(s)</b> VAN LAAR, ABRAM EVERT	
	<b>Examiner</b> ERIC GOLIGHTLY	<b>Art Unit</b> 1714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 18-34 is/are pending in the application.
- 5a) Of the above claim(s) 31-34 is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 18-30 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/14/2011 has been entered.

2. Claims 18-34 are pending. Claims 31-34 are withdrawn. Claims 1-17 are cancelled.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. The common knowledge or well-known in the art statements made in the previous Office action are taken to be admitted prior art because applicant(s) either failed to traverse the examiner's assertion of official notice or the traverse was inadequate. MPEP 2144.03(C).
6. Claims 18-23 and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 0020693 to Jacquinet (hereinafter "Jacquinet") in view of US 2002/0112744 to Besseling (hereinafter "Besseling").

Regarding claim 18, Jacquinet teaches an apparatus which is fully capable of being used for cleaning surfaces fouled with chewing gum (abstract) including: a mobile support structure (Fig. 1, ref. 10 and page 9, paragraph beginning "In Figure 1"), a supply container (Fig. 1, ref 12, and page 9, paragraph beginning "In Figure 1") for a cleaning agent, a plurality of nozzle units (Jacquinet at Fig. 3, ref. 25A-D, 26A-D, 27 and 28, and page 10, first paragraph) coupled to the supply container, which are fully capable of being used for supplying the cleaning agent to a surface fouled with chewing gum, wherein each nozzle unit is fully capable of being adapted to supply the cleaning agent to the same part of the surface at least once during displacement of the support structure, and a pump (Fig. 1, ref. 13, and page 9, paragraph beginning "In Figure 1"), or pressure-generating mechanism, for feeding cleaning agent under pressure to a spray unit.

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Jacquinet discloses that the pressure-generation mechanism is fully capable of pressuring a cleaning agent over 750 bar (claim 2), but is silent regarding it being capable of being used such that the pressure of the cleaning agent sprayed on a surface lies between 310 and 750 bar. Further, Jacquinet is silent regarding the heating mechanism and that the nozzle units comprise spraying units.

Besseling teaches a device for the removal of dirt (abstract) including gum (paragraph [0018]) including a mechanism for heating a cleaning agent (Fig. 1, ref. 3 and 6 and paragraph [0037]) and a pressure regulating device (Fig. 1, ref. 5 and 11 and paragraph [0037]) such that the device can be operated wherein the temperature of the cleaning agent is a minimum of 120 degrees C (paragraph [0017]) and the pressure is lower than 750 bar (paragraph [0017]), which is disclosed as advantageously lessening the quantity of cleaning agent needed, speeding drying time, and inhibiting damage to a surface being cleaned (paragraph [0017]). Besseling further discloses a nozzle unit comprising a spray unit (Fig. 1, ref. 26 and paragraph [0037]). It would have been obvious to one of ordinary skill in the art at the time of the invention to include a mechanism for heating a cleaning agent and a pressure regulating device as in the device of the Besseling teaching in the apparatus of the Jacquinet teaching such that the apparatus can be operated wherein the temperature of the cleaning agent is a minimum of 120 degrees C and the pressure is between 300 and 750 bar, in order to enhance process control and allow for a broader range of cleaning operations with a broader range of temperatures and pressures, including operating it wherein the temperature of the cleaning agent is a minimum of 120 degrees C and the pressure is

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between 300 and 750 bar in order to lessen the quantity of cleaning agent needed, speed drying time, and inhibit damage to a surface being cleaned. Further the skilled artisan would have found it obvious to include a spray unit as in the device of the Besseling teaching in the apparatus of the Jacquinet teaching in order to allow for a broader range of cleaning operations including those suitable for enhanced distribution of a liquid over an area, increased liquid surface area, or enhanced impact force on a surface.

Regarding claim 19, Jacquinet and Besseling disclose an apparatus wherein some spray units are fully capable of being adapted to spray the surface in a substantially circular pattern (see Jacquinet at Fig. 3, ref. 25A-D, 26A-D, 27 and 28 and page 10, first paragraph).

Regarding claim 20, Jacquinet and Besseling disclose an apparatus wherein the spray units are connected rotatably to the support structure (see Jacquinet at Fig. 3, ref. 25A-D, 26A-D, 27 and 28 and page 10, first paragraph).

Regarding claim 21, Jacquinet and Besseling disclose an apparatus including two spray sets (Jacquinet at Fig. 3, ref. 27 and 28 and page 10, first paragraph), each including four spray units (Jacquinet at Fig. 3, ref. 25A-D and 26A-D and page 10, first paragraph) which are fully capable of being positioned one behind the other as seen in a direction of displacement of the support structure (Jacquinet at Figs. 10-12 and page 11, second to last paragraph to page 12, first paragraph).

Regarding claim 22, Jacquinet and Besseling disclose an apparatus including a suction mechanism (Jacquinet at page 6, paragraph beginning "Other optional

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equipment ... includes: A conventional dry aspirator") connected to the support structure, which is fully capable of being used for suctioning up cleaning agent supplied to the surface.

Regarding claim 23, Jacquinet is silent regarding a brushing mechanism. Besseling discloses a brushing mechanism (Fig. 2, ref. 31 and paragraphs [0033] and [0039]). The skilled artisan would have found it obvious to connect a brushing mechanism as in the apparatus of the Besseling teaching to the support structure of the apparatus of the Jacquinet teaching to yield predictable results in order to enhance cleaning. MPEP 2141(A) and MPEP 2144.04(V)(B).

Regarding claim 26, Jacquinet and Besseling disclose an apparatus further including a shielding element (Jacquinet at Fig. 2, ref. 22 and page 9, last paragraph) wherein the spray units and brush mechanism are shielded by the shielding element.

Regarding claim 27, Jacquinet and Besseling disclose an apparatus including a mechanism for regulating the pressure of cleaning agent (Jacquinet at Fig. 1, ref. 13 and page 9, paragraph beginning "In Figure 1"). It is noted that Jacquinet and Besseling further disclose a mechanism for regulating the temperature of cleaning agent (Besseling at Fig. 1, ref. 3, 5 and 6 and paragraph [0037]).

Regarding claim 28, Jacquinet and Besseling disclose an apparatus wherein the relative orientation of the spray units and the support structure can be changed (Jacquinet at Fig. 1, ref. 10, Fig. 3, ref. 27 and 28 and Figs. 10-12).

Regarding claim 29, Jacquinet and Besseling disclose an apparatus wherein the support structure is formed by a vehicle (Jacquinet at Fig. 1, ref. 10 and page 9, paragraph beginning “In Figure 1”).

Regarding claim 30, Jacquinet and Besseling disclose an apparatus including a mechanism useful for guiding the support structure (Jacquinet at Fig. 1, ref. 16 and page 9, paragraph beginning “In Figure 1”) in a predefined path.

7. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacquinet (WO 0020693) in view of Besseling (US 2002/0112744) and in further view of EP 381904 to Ducreux et al. (hereinafter “Ducreux”).

Jacquinet and Besseling disclose a brushing mechanism (Besseling, Fig. 2, ref. 31 and paragraphs [0033] and [0039]), but are silent regarding the mechanism connected to the support structure for brushing the surface being at least partially formed by at least one brush roller and wherein at least one brush roller is positioned between the front spray unit and the rear spray unit. Ducreux teaches a cleaning device for surfaces (abstract) and discloses a brushing mechanism that includes a roller brush (Fig. 5, ref. 30, incl. ref. 31' and paragraphs beginning “Drums 31 of brushes 30”). Ducreux discloses a brush roller positioned between a front spray unit and a rear spray unit (Fig. 1, ref. 38 and 39, Fig. 2, ref. 38 and 31', paragraphs beginning “Drums 31 of brushes 30” and claim 1). Ducreux further discloses the roller brush as effective for cleaning overhanging surfaces like ceilings and arches (title). When faced with the problem of needing to clean overhanging surfaces like ceilings and arches, it would



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have been obvious to one of ordinary skill in the art at the time of the invention to include a brush roller, wherein at least one brush roller is positioned between a front spray unit and a rear spray unit. as in the Ducreux teaching in the apparatus as per the Jacquinet/Besseling teachings due to its effectiveness for cleaning overhanging surfaces. Assuming, arguendo, that the applied art did not disclose a brush between spray units, it is noted that the skilled artisan would have found it obvious to try since there are only four options: a) all brushes in front of spray units, b) all brushes behind spray units, c) all brushes located either in front of or behind spray units and d) a brush between spray units.

### ***Response to Arguments***

8. Applicant's arguments in the submission filed on 11/14/2011 with respect to claims 18-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC GOLIGHTLY whose telephone number is (571)270-3715. The examiner can normally be reached on Monday to Thursday, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Kornakov can be reached on (571) 272-1303. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eric Golightly/  
Examiner, Art Unit 1714